

PETE SESSIONS
32ND DISTRICT, TEXAS

COMMITTEE ON RULES

SELECT COMMITTEE ON
HOMELAND SECURITY

COMMITTEE ON
FINANCIAL SERVICES
(ON LEAVE)

RESULTS CAUCUS
CHAIRMAN



Congress of the United States
House of Representatives

☒ 1318 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4332
TELEPHONE: 202.225.2231
FAX: 202.225.5878

DISTRICT OFFICE:
☐ PARK CENTRAL VII
12750 MERIT DRIVE
SUITE 1434
DALLAS, TEXAS 75251
TELEPHONE: 972.392.0505
FAX: 972.392.0615

e-mail: petes@mail.house.gov
web page: www.house.gov/sessions/

January 4, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

Dear Chairman Nober:

I understand that the STB will soon address the issue of whether antitrust immunity for the National Classification Committee (NCC) should be renewed for five more years.

Constituents have raised serious issues and questions about the need for the NCC to continue in a deregulated economy. They have also recommended that if there is a need to extend the life of the NCC for another five years, then it should be reorganized so shippers have equal voting representation.

I believe these concerns have merit, and that antitrust immunity should be minimized in today's deregulated transportation marketplace. I urge you to consider carefully whether continued antitrust immunity is warranted, and, if so, whether additional reforms should be adopted that would better balance shipper and carrier interests.

I am available to discuss this issue with you at any time. Please contact me directly at 202.2231 and I would be happy to further explore my constituents concerns with you, and to learn more about your position.

Sincerely,

Pete Sessions
Member of Congress

BART GORDON
6TH DISTRICT, TENNESSEE

COMMITTEES:
ENERGY AND COMMERCE
SCIENCE

RANKING MEMBER
SUBCOMMITTEE:
SPACE AND AERONAUTICS



Congress of the United States
House of Representatives

February 15, 2005

2304 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4206
(202) 225-4231
FAX: (202) 225-6887

106 SOUTH MAPLE STREET
P.O. BOX 1986
MURFREESBORO, TN 37133
(615) 896-1986
FAX: (615) 896-4218

15 SOUTH JEFFERSON STREET
P.O. BOX 1140
COOKEVILLE, TN 38501
(931) 528-5907

101 5TH AVENUE WEST
SUITE D
SPRINGFIELD, TN 37172
(615) 382-9712

RECEIVED
SURFACE TRANSPORTATION
BOARD
FEB 23 P 3:09

OFFICE OF SURFACE
TRANSPORTATION
BOARD

The Honorable Roger Nober
Chairman, Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Dear Mr. Chairman:

I understand that the Surface Transportation Board (STB) soon will address the issue of antitrust immunity for the National Classification Committee (NCC).

I have heard from a business in Tennessee, Hermitage Lighting Gallery, that has serious concerns about cost increases associated with the new classifications for the lamp and lighting group recently approved by the NCC. This business, among others, believes that the STB should reconsider whether it provides antitrust immunity for the NCC classification process. In addition, the company believes that the makeup of the NCC currently favors the trucking industry over the shipping industry, and that a more reasonable balance should be struck.

I agree that these questions should be part of the Surface Transportation Board review, and I appreciate your consideration of these comments. I look forward to reviewing the Board's decision on this matter.

Sincerely,

Bart Gordon
Member of Congress

BG/af

United States Senate

WASHINGTON, DC 20510-4304

2005 MAR -7 P 2: 38

February 15, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423

Dear Chairman Nober:

As the Surface Transportation Board (STB) undertakes its five-year review of antitrust immunity, I urge you to ensure the collective agreement process is fair to all participants.

Under antitrust waivers, the National Classification Committee sets rates for the shipment of various materials which producers are required to honor when arranging to transport their goods. While recent reforms have increased the information available to manufacturers in an effort to assist their planning, resolving disputes can take years and be costly.

The STB is currently accepting public comment, and as you review industry suggestions, I encourage you to ensure the panel's rate-setting does not needlessly burden manufacturers, nor compel carriers to transport manufacturers' goods at unfair rates. Thank you for your attention to this matter.

Sincerely,



Kay Bailey Hutchison

JIM COOPER
5TH DISTRICT, TENNESSEE

COMMITTEES:
BUDGET
ARMED SERVICES
GOVERNMENT REFORM

WEB SITE: www.cooper.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515

PLEASE MAIL TO NASHVILLE OFFICE:
706 CHURCH STREET, SUITE 101
NASHVILLE, TN 37203-3586
(615) 736-5295
FAX: (615) 736-7479

2598 NORTH MT. JULIET ROAD
SUITE 100
MT. JULIET, TN 37122-8016
(615) 773-2305
FAX: (615) 773-2307

WASHINGTON OFFICE:
(202) 225-4311
FAX: (202) 226-1035

2005 MAR -7 P 3:58

February 15, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423

Re: STB Ex Parte No. 656

Dear Chairman Nober:

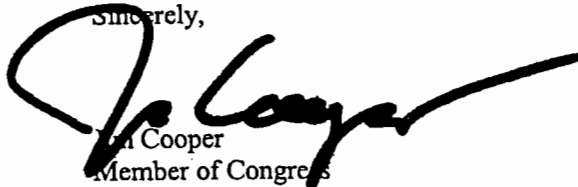
It has come to my attention that the Surface Transportation Board will soon decide whether or not to renew antitrust immunity for the National Classification Committee (NCC).

Some of my constituents have made me aware of their concerns regarding the continuation of antitrust immunity for the NCC and have questioned the need for the NCC to continue in a broadly deregulated economy. In particular they have expressed their concerns over the increased freight costs the implemented classification changes have in regards to their particular industry.

I believe that their concerns are valid and worth considering. Antitrust immunity for the NCC has financial implications that will affect important industries throughout my constituency. Moreover, the continuation of antitrust immunity in a deregulated transportation marketplace should be carefully reviewed. I urge you to give your full consideration to these questions and to the concerns of my constituents.

I thank you in advance for giving this matter the attention that it deserves. Please contact me at 615-736-5295 if you wish to discuss this issue further.

Sincerely,



Jim Cooper
Member of Congress

HAROLD E. FORD
9TH DISTRICT, TENNESSEE

COMMITTEES:
BUDGET

FINANCIAL SERVICES

SUBCOMMITTEES:
CAPITAL MARKETS, INSURANCE, AND
GOVERNMENT-SPONSORED ENTERPRISES

FINANCIAL INSTITUTIONS AND
CONSUMER CREDIT

Congress of the United States
House of Representatives
Washington, DC 20515-4209

OFFICES:

325 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TEL.: (202) 225-3266
FAX: (202) 225-5663

107 NORTH MAIN, SUITE 369
MEMPHIS, TN 38103
TEL.: (901) 544-4131
FAX: (901) 544-4329

WEBSITE:
www.house.gov/ford

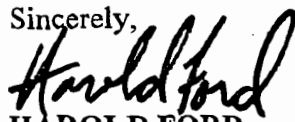
April 14, 2005

The Honorable Doug Buttrey
Vice-Chairman
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Dear Vice-Chairman Buttrey:

I am writing to bring your attention a concern of Hunter Fan Company in Memphis. A letter forwarded to my office is attached. Please give the letter all due consideration. If you have any questions do not hesitate to contact me or Justin Holman in my office at (202) 225-3265.

Sincerely,


HAROLD FORD



SINCE

1886

Robert E. Beasley, Jr.
President and C.E.O.

March 29, 2005

Congressman Harold Ford, Jr.
325 Cannon House Office Building
Washington, D.C. 20515

Subject: Request For Your Support to Oppose the Continuance of the Antitrust Exemption for the
National Classification Committee of the National Motor Freight Traffic Association

Dear Congressman Ford:

Hunter Fan Company has been in business since 1886 in the manufacturing of ceiling fans, lighting and home comfort products. Hunter Fan Company has operations and employees in the states of Tennessee, Florida, Mississippi and California. A significant component of our cost of doing business is freight.

As you know, motor freight carriers in this country have enjoyed an exemption from antitrust laws for quite some time now. Hunter Fan Company understands that the Surface Transportation Board (STB) evaluates this exemption every five years and that 2005 is a review year for the continuance or discontinuance of antitrust immunity for the National Classification Committee (NCC) of the National Motor Freight Traffic Association (NMFTA).

We request your support in opposing the reinstatement of the antitrust immunity for the NCC for another five years for the reasons outlined below.

The NCC is comprised solely of representatives of the trucking industry. Shippers have no representation whatsoever on the NCC. The NCC has the authority to establish classifications for the shipments of goods, which affect the cost of freight to companies such as Hunter Fan Company. The NCC recently amended the classifications for the lamp and lighting group (into which Hunter Fan Company's products are classified) from five to eleven classifications. The implemented classification changes will lead to substantially higher freight costs for our industry and they will increase revenue for the trucking industry. Since the freight classification of a product is one of three major components determining the price that shippers pay for the services of the trucking industry (the others being individually negotiated freight rates and discounts extended), this collective classification change determined by the NCC will result in a general price increase for all shippers of the affected product (a chart outlining increased costs for the lighting industry is attached). The increase in freight for these products will result in an increase in the prices that consumers pay for these products.

Hunter Fan Company

2500 Frisco Ave., Memphis, TN 38114 Tel: (901) 743-1360 Fax: (901) 248-2265 Customer Service Fax: (901) 248-2576

Freight costs should only be determined in the open market with agreements / contracts determined between individual shippers and truckers. We question whether it is appropriate for the federal government to continue to provide antitrust immunity for this process whereby an entire industry is granted the right to agree to set prices for its services. We request your support in abolishing the antitrust immunity for the trucking industry.

Specifically, at this time we respectfully request that you write to the STB opposing reinstating the antitrust immunity for the NCC for another five years and question the need for, or the appropriateness of, the NCC in a broadly deregulated economy. If the NCC should continue, it should at least be reconstructed as a decision making body with shippers as well as truckers being represented equally to ensure fairness in the marketplace. Congressman Pete Sessions has already sent a letter to the STB supporting our position – a copy of his letter is attached.

Thank you for your consideration of our request.

Respectfully,

A handwritten signature in black ink, appearing to read "R. E. Beasley, Jr.", written in a cursive style.

Robert E. Beasley, Jr.
President and C.E.O.

Enclosures: Chart outlining increased freight costs for the lighting industry
 Letter from Congressman Pete Sessions to the Surface Transportation Board

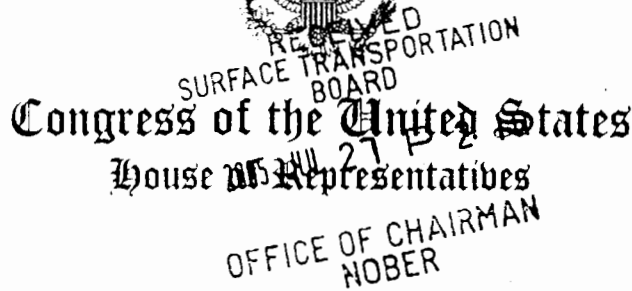
PETE SESSIONS
32ND DISTRICT, TEXAS

COMMITTEE ON RULES

COMMITTEE
ON THE BUDGET

COMMITTEE ON
FINANCIAL SERVICES
(ON LEAVE)

RESULTS CAUCUS
CHAIRMAN



1514 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4332
TELEPHONE: 202.225.2231
FAX: 202.225.5878
DISTRICT OFFICE:
PARK CENTRAL VII
12750 MERIT DRIVE
SUITE 1434
DALLAS, TEXAS 75251
TELEPHONE: 972.392.0505
FAX: 972.392.0615
e-mail: petes@mail.house.gov
web page: www.house.gov/sessions/

July 21, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
The Mercury Building
1925 K Street, NW, Room 810
Washington, D.C. 20423

Dear Chairman Nober:

I thank you for your March 18, 2005 letter regarding the issue of whether antitrust immunity for the National Classification Committee (NCC) should be renewed for an additional five years. I appreciate your response and the attached documents.

In your correspondence, you stated that the deadline for rebuttal comments to be filed would be April 21, 2005. With this in mind, I am writing to ask if a timetable for reaching a final decision on the matter had been established since your last letter to me. Constituents in my district have expressed to me their desire for a repeal of the NCC's antitrust exemption. I would appreciate an updated report from you on the current status of the decision-making process regarding the NCC.

I appreciate your attention to this request and your continued service to the Surface Transportation Board. If I may of assistance to you regarding this letter, please feel free to call me, or on the staff level my Legislative Assistant, Scott Cunningham, at 202.225.2231.

Sincerely,

Pete Sessions
Member of Congress